IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	: Randall Frank et al.	Art Unit	: 2143
Serial No.	: 10/728,374	Examiner	: Anish Sikri
Filed	: December 4, 2003	Conf. No.	: 6383
Title	: INTEGRATIMG MULTIPLE COMMUNICATION MODES		

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

In response to the notice of non-compliant appeal brief mailed on June 30, 2008, Applicant encloses a replacement section 3 to include the status of all claims filed in the application. Applicant also encloses a replacement section 5 that identifies the disclosure in the specification, by page and line numbers and figures, for the independent claims on appeal.

These replacement sections comply with Rules 41.37(c)(1)(iii) and 41.37(c)(1)(v).

No fees are believed due in connection with the filing of these replacement sections. However, to the extent fees are due, please adjust our Deposit Account No. 06-1050, referencing Attorney Docket No. 08575-088001.

Respectfully submitted,

Date: July 29, 2008   /Faustino A. Lichauco/
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<u>REPLACEMENT SECTIONS FOR BRIEF ON APPEAL</u>

<u>REPLACEMENT SECTION 3</u>

(3)   Status of Claims

Claims 34 to 88 have been canceled. Claims 1 to 33, 89 and 90 have been rejected and are on appeal. Of these, claims 1, 18, 33 and 89 are independent.

<u>REPLACEMENT SECTION 5</u>

(5)   Summary of Claimed Subject Matter

All citations herein are made with reference to the specification of this application, filed on December 4, 2003.

Claim 1

Claim 1's limitation of "receiving from a first person a request to converse with a second person using a selected first one of two or more selectable communication modes" is taught on page 14, lines 18 to 28.

Claim 1's limitation of "in response to the received request, automatically performing an action using a second one of the two more communication modes, selection of the second mode

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being determined by a rule created by the second person" is taught on page 10, lines 7 to 9; page 11, line 24 to page 12, line 3; page 12, lines 24 to 25; page 17, lines 14 to 31; and figure 6.

Claim 12

Claim 12's limitation of "forwarding the request to converse to a third person if a current status of the second person is that the second person is unavailable to converse and the third person is available to converse" is taught on page 17, lines 14 to 31.

Claim 18

Claim 18's limitation of a "computing device" is taught on page 10, lines 3 to 5; page 12, lines 4 to 11; page 19, lines 10 to 20; and figures 1, 2 and 8.

Claim 18's limitation of "a transceiver configured to receive a request to converse with a user of the computing device using a selected first one of two or more selectable communication modes" is taught on page 14, lines 18 to 28; page 19, lines 7 to 20; and figures 1, 2 and 8.

Claim 18's limitation of an "integration module" is taught on page 10, lines 7 to 9; page 11, line 12; page 12, lines 24 to 30; page 18, lines 1 to 2; and figure 2.

Claim 18's limitation of "automatically perform[ing] an action using a second one of the two or more communication modes, selection of the second mode being determined by a rule created by the user based on the received request" is taught on page 10, lines 7 to 9; page 11, line 24 to page 12, line 3; page 12, lines 24 to 25; page 17, lines 14 to 31; and figure 6.

Claim 24

Claim 24's limitation that "a telephone [is] configured to send the request to converse" is taught on page 9, lines 21 to 26; page 18, line 26 to page 19, line 6; and figure 1.

Claim 29

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Claim 29's limitation that "the switched local area network is configured to connect to an internet protocol/public switched telephone network gateway" is taught on page 18, line 26 to page 19, line 6; and figure 8.

Claim 33

Claim 33's limitation of "receiv[ing], from a first person, a request to converse with a second person using a selected first one of two or more selectable communication modes" is taught on page 14, lines 18 to 28; page 19, lines 7 to 20; and figure 8.

Claim 33's limitation of "in response to the request, automatically perform[ing] an action using a second one of the two or more communication modes, selection of the second mode being determined by a rule created by the first user" is taught on page 10, lines 7 to 9; page 11, line 24 to page 12, line 3; page 12, lines 24 to 25; page 17, lines 14 to 31; and figure 6.

Claim 89

Claim 89's limitation of "a computer device" is taught on page 10, lines 3 to 5; page 12, lines 4 to 11; page 19, lines 10 to 20; and figures 1, 2 and 8.

Claim 89's limitation of "a user interface that is configured to enable a user to interact with a person using one mode of at least two of voice conversation, voice-video conversation, graphic text-based conversation, fax, and electronic mail" is taught on page 9, lines 19 to 24; page 13, lines 1 to 8; page 14, lines 18 to 25; and figure 3.

Claim 89's limitation of "creating a rule to cause the computer device to automatically perform an action using a first one of the at least two modes, selection of the first mode being based on a request to converse with the user using a selected second communication mode" is taught on page 10, lines 7 to 9; page 11, line 24 to page 12, line 3; page 12, lines 24 to 25; page 17, lines 14 to 31; and figure 6.

Claim 89's limitation of "viewing an automatically generated listing of a set of persons, the listing comprising a name, presence information, and communication modes available for the user to communicate with the person from the set of persons" is taught on page 13, lines 9 to 25; page 14, lines 10-17; page 14, lines 18 to 23; and figure 3.

Claim 89's limitation of "selecting the person from the set of persons" is taught on page 13, lines 26 to 30.

Claim 89's limitation of "selecting a communication mode from the communication modes available to communicate with the person" is taught on page 14, lines 18 to 25.

Claim 89's limitation of "retrieving information about a person using an identifying characteristic of the person, where the identifying characteristic is selected by the user from a display" is taught on page 13, line 26 to page 14, line 5.

Claim 89's limitation of "communicating with the person" is taught on page 14, line 26 to page 15, line 1 and at figure 3A.

Respectfully submitted,

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